

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.21274 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus to declare the action of the respondents in not considering petitioner's representation dated 12.06.2017 following by reminder, dated 17.06.2017, seeking to remove the illegal constructions proceeded by the 5th respondent at H.No.19-3-134-142, Near Jama Masjid, Jahanuma, Hyderabad, even without obtaining any permission or sanction from the respondents 1 to 4, as illegal and arbitrary, and consequently, direct the respondents to forthwith remove the illegal constructions made by the 5th respondent in the aforesaid house.

Heard and perused the material available on record.

The petitioner is residing in H.No.19-3-123, Jahanuma, Hyderabad, which is own property. He regularly goes to Jama Masjid through the road which is in front of the house of 5th respondent. The 5th respondent has proposed to construct his building and dumped the building material on the road and when the same was questioned by the petitioner and other locality people, the 5th respondent gave evasive replies. Then, the petitioner caused enquiries with the official respondents and came to know that the 5th respondent is making construction without obtaining permission from the concerned authority and also by encroaching the road. Therefore, the petitioner submitted a representation to the 4th respondent on 12.06.2017 and though the same was endorsed by the 4th respondent directing the concerned officer to take necessary action, no action has been taken on the said representation. Then, the petitioner made another representation on

17.06.2017. But, no action has been taken by the official respondents so far.

Considering the circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The 4th respondent is directed to consider representations, dated 12.06.2017 and 17.06.2017, made by the petitioner, and take appropriate action in accordance with law regarding the alleged unauthorized constructions, within a period of eight (8) weeks from the date of receipt of a copy of this order.”

With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions pending if any, shall stand closed.

June 29, 2017
KTL

RAJA ELANGO, J

